

RESOLUTION NUMBER R- 314608
DATE OF FINAL PASSAGE MAR 10 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT APPROVING A PURCHASE AND SALE AGREEMENT FOR THE CITY'S SALE OF 8.18 ACRES OF UNIMPROVED REAL PROPERTY IN THE SORRENTO MESA AREA OF THE CITY OF SAN DIEGO TO LS LUSK LAND, LLC IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER TITLE 14 CALIFORNIA CODE OF REGULATIONS SECTION 15312.

WHEREAS, the City of San Diego (City) is considering approving a purchase and sale agreement for the City's sale of 8.18 acres of unimproved real property in the Sorrento Mesa area of San Diego (Property) to LS Lusk Land, LLC (Project); and

WHEREAS, within the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, *et seq.*), Public Resources Code section 21084 states that the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15000, *et seq.*) prepared by the California Governor's Office of Planning and Research and adopted by the Secretary of the Natural Resource Agency Public Resources Code section 21083 shall list those classes of projects which have been determined not to have a significant effect on the environment and which shall be exempt from CEQA; and

WHEREAS, CEQA Guidelines sections 15300-15333 list the classes of projects that have been determined not to have a significant effect on the environment and are exempt from CEQA; and

WHEREAS, CEQA Guidelines section 15312 sets forth a categorical exemption for sales of surplus government property except for parcels of land located in an area of statewide, regional, or areawide concern identified in CEQA Guidelines section 15206(b)(4); and

WHEREAS, the City Planning Department determined that the Project is categorically exempt from CEQA under CEQA Guidelines section 15312 because the Project is for the sale of surplus government property; and

WHEREAS, the City Planning Department further determined that the Property is not located in an area of statewide, regional, or areawide concern identified in CEQA Guidelines section 15206(b)(4), and no exception set forth in CEQA Guidelines section 15300.2 applies; and

WHEREAS, the Council of the City of San Diego (Council) considered the potential environmental effects of the Project; and

WHEREAS, the Council held a duly noticed public meeting and considered the written record and related public comment about the Project; and

WHEREAS, the Council, exercising its independent judgment, determined that the Project will not result in a significant effect on the environment and is categorically exempt from CEQA under CEQA Guidelines section 15312 (Surplus Government Property Sales); and

WHEREAS, the Council, exercising its independent judgment, determined that the Property is not located in an area of statewide, regional, or areawide concern identified in CEQA Guidelines section 15206(b)(4); and

WHEREAS, the Council, exercising its independent judgment, determined that no exception set forth in CEQA Guidelines section 15300.2 applies to the Project because no cumulative impacts were identified; no significant effects on the environment were identified; none of the land is adjacent to a scenic highway; no historical resources will be affected by the action; and none of the land is identified on a list of hazardous waste sites pursuant to California Government Code section 65962.5; and

WHEREAS, the Office of the City Attorney has drafted this Resolution based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. The Project will not result in a significant effect on the environment and is categorically exempt from CEQA under CEQA Guidelines section 15312.
2. The Property is not located in an area of statewide, regional, or areawide concern identified in CEQA Guidelines section 15206(b)(4).
3. No exception set forth in CEQA Guidelines section 15300.2 applies to the Project.

APPROVED: MARA W. ELLIOTT, City Attorney

By

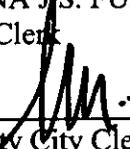


Julie Gough Inman
Deputy City Attorney

JGI:cw
2/10/23
Or.Dept: DREAM
CC No.: N/A
Doc. No.: 3217840

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 28 2023.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 3/9/23
(date)


TODD GLORIA Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on FEB 28 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 10 2023.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

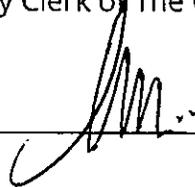
AUTHENTICATED BY:



(Seal)

TODD GLORIA
Mayor of The City of San Diego, California.

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California
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